PC-Attachment 3
Proposed Resolution No. PC 2026-07 – Certification of Final Environmental Impact Report

**RESOLUTION NO. PC 2026-07**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ENCINITAS, CALIFORNIA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, AND ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM FOR THE PROPOSED OCEAN BLUFF RESIDENTIAL PROJECT LOCATED AT 501 OCEAN BLUFF WAY (CASE NO. MUTLI-006443-2023, SUB-006459-2023, DR-006444-2023, CDP-006445-2023, ENV-007304-2024; APN: 258-141-23, 258-141-24, 258-141-25, and 258-141-26)**

**WHEREAS**, a Final Environmental Impact Report (EIR) was prepared for the project and has been completed in compliance with the California Environmental Quality Act (CEQA); and

**WHEREAS**, a Notice of Preparation (NOP) was prepared and circulated for public and agency comments commencing August 13, 2024 and ending on September 12, 2024; and

**WHEREAS**, an Environmental Impact Report (EIR) was prepared to analyze the potential environmental effects of the project. In accordance with the California Environmental Quality Act (CEQA), the draft EIR was published for a 45-day review period from May 16, 2025 to June 30, 2025; and

**WHEREAS**, the Final EIR evaluates the possible environmental impacts of the proposed Density Bonus Tentative Map, Design Review Permit, and Coastal Development Permits for the demolition of all onsite structures; the subdivision of four existing parcels into 27 lots for the construction of 27 new single-family homes (24 market-rate units and three very-low affordable units), as well as the construction of a private road, and associated utilities, drainage, landscaping, stormwater improvements, and right-of-way and pedestrian improvements on Ocean Bluff Way; and

**WHEREAS**, potential significant impacts of the applicant proposed project can be reduced or avoided to a level below significance by the implementation of feasible mitigation measures identified in the EIR and included in the Mitigation Monitoring and Reporting Program (MMRP); and

**WHEREAS**, pursuant to CEQA Guidelines Sections 15050 and 15051, the City of Encinitas is the “Lead Agency” for the proposed Project; and

**WHEREAS**, the Draft EIR and Final EIR were prepared in compliance with CEQA and the CEQA Guidelines; and

**WHEREAS**, the City has independently reviewed and analyzed the Draft EIR and Final EIR, and these documents reflect the independent judgment of the City; and

**WHEREAS**, a Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the proposed Project, which the Planning Commission has reviewed, considered and certified. The MMRP is incorporated herein and is considered part of the Record of Proceedings for the proposed Project. The MMRP designates responsibility and anticipated timing for the implementation of mitigation measures. The City will serve as the MMRP Coordinator; and

**WHEREAS**, in determining whether the proposed Project has a significant impact on the

environment, and in adopting these Findings pursuant to Section 21081 of CEQA, the City has based its decision on substantial evidence and has complied with CEQA Sections 21081.5 and 21082.2 and CEQA Guidelines Section 15091; and

**WHEREAS**, the impacts of the proposed Project have been analyzed to the extent feasible at the time of certification of the Final EIR; and

**WHEREAS**, the City reviewed the comments received on the Draft EIR and the responses thereto and has determined that neither the comments received nor the responses to such comments add new information regarding environmental impacts associated with the proposed project that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5. The City has based its actions on full appraisal of all comments received up to the date of adoption of these Findings concerning the environmental impacts identified and analyzed in the Final EIR; and

**WHEREAS**, the responses to comments on the Draft EIR, which is contained in the attached Final EIR, clarify and amplify the environmental analyses therein; and

**WHEREAS**, the City has made no decisions that constitute an irretrievable commitment of resources toward the proposed project prior to certification of the Final EIR, nor has the City previously committed to a definite course of action with respect to the proposed Project; and

**WHEREAS**, the Planning Commission of the City of Encinitas has reviewed the Final EIR.

**WHEREAS**, the City prepared the Findings of Fact as specified in Exhibit A in accordance with CEQA and the State CEQA Guidelines and the City's CEQA Guidelines;

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on November 20, 2025 and heard testimony from staff and the applicant, and after deliberation voted to continue the item to a future meeting in the manner prescribed by law to consider the certification of the EIR, with Findings of Fact and Mitigation Monitoring and Reporting Program; and,

**WHEREAS**, the Planning Commission continued the duly noticed public hearing on May 7, 2026 in the manner prescribed by law to consider the certification of the EIR, with Findings of Fact and Mitigation Monitoring and Reporting Program;

**NOW THEREFORE, BE IT RESOLVED**, the Planning Commission received, reviewed, and considered all information and documents in the record.

**BE IT FURTHER RESOLVED**, the Planning Commission hereby adopts the Findings of Fact, certifies the Final EIR, and adopts the CEQA Findings of Fact and Mitigation Monitoring and Reporting Program, as follows:

1. **EXHIBIT A — FINDINGS OF FACT**

2. **EXHIBIT B — MITIGATION MONITORING REPORTING PROGRAM**

**PASSED AND ADOPTED** this 7th day of May, 2026, by the Planning Commission of the City of Encinitas, State of California.

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Robert Prendergast, Vice Chair

ATTEST:

_____
Meagan Openshaw
Secretary

**NOTE:** This action is subject to Chapter 1.04 of the Municipal Code, which specifies time limits for legal challenges.